not in M (1861)

37TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 6.

SUSPENSION OF THE WRIT OF HABEAS CORPUS.

LETTER

FROM

THE SECRETARY OF STATE,

TRANSMITTING

The several orders and proclamation relative to the suspension of the writ of habeas corpus.

JULY 15, 1861.—Read, referred to the Committee on the Judiciary, and ordered to be printed.

To the House of Representatives:

The Secretary of State, to whom was referred that part of the resolution of the House of Representatives of the 12th instant which requested the Attorney General to lay before the House "a copy of the order suspending the writ of *habeas corpus*," has the honor to report that three several orders upon this subject have been issued: one by the President of the United States to the commanding general of the army, of the 27th April; the second, by a proclamation of the President, of the 10th May last; and the third, by an order of the President to the commanding general of the army, of the 2d instant. A copy of these orders is hereunto annexed.

Respectfully submitted

WILLIAM H. SEWARD.

DEPARTMENT OF STATE,
Washington, July 13, 1861.

To the commanding general of the army of the United States:

You are engaged in repressing an insurrection against the laws of the United States. If, at any point on or in the vicinity of any military line which is now, or which shall be, used between the city of Philadelphia and the city of Washington, you find resistance which renders it necessary to suspend the writ of habeas corpus for the public

safety, you, personally, or through the officer in command at the point where resistance occurs, are authorized to suspend that writ.

Given under my hand and the seal of the United States, at the city of Washington, this twenty-seventh day of April, 1861, and [L. S.] of the independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President of the United States:

WILLIAM H. SEWARD,
Secretary of State.

PROCLAMATION BY THE PRESIDENT.

By the President of the United States of America.

A PROCLAMATION.

Whereas an insurrection exists in the State of Florida, by which the lives, liberty, and property of loyal citizens of the United States are endangered;

And whereas it is deemed proper that all needful measures should be taken for the protection of such citizens and all officers of the United States in the discharge of their public duties in the State aforesaid:

Now, therefore, be it known that I, Abraham Lincoln, President of the United States, do hereby direct the commander of the forces of the United States on the Florida coast to permit no person to exercise any office or authority upon the islands of Key West, the Tortugas, and Santa Rosa, which may be inconsistent with the laws and Constitution of the United States, authorizing him at the same time, if he shall find it necessary, to suspend there the writ of *habeas corpus*, and to remove from the vicinity of the United States fortresses all dangerous or suspected persons.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this tenth day of May, in the year of our Lord one thousand eight hundred and sixty-one, and [L. S.] of the independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

To the commanding general of the army of the United States:

You are engaged in repressing an insurrection against the laws of the United States. If, at any point on or in the vicinity of any military line which is now, or which shall be, used between the city of New York and the city of Washington, you find resistance which renders it necessary to suspend the writ of habeas corpus for the public safety, you, personally, or through the officer in command at the point where resistance occurs, are authorized to suspend that writ.

Given under my hand and the seal of the United States, at the city of Washington, this second day of July, A. D. 1861, and of the independence of the United States the eighty-fifth.

[L. S.]

ABRAHAM LINCOLN.

By the President of the United States:

WILLIAM H. SEWARD,
Secretary of State.